



January 15, 2015

Chairman Tom Wheeler  
Commissioner Mignon Clyburn  
Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai  
Commissioner Michael O'Rielly  
c/o Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Comments in ET Docket No. 14-165 and GN Docket Nos. 12-268 and 14-166 Via Electronic Filing**

Dear Chairman Wheeler, Commissioner Clyburn, Commissioner Rosenworcel, Commissioner Pai, Commissioner O'Rielly and Ms. Dortch,

On behalf of the Westside Theatre, a commercial Off-Broadway venue consisting of two theatres which provide approximately 700 performances a year to 95,000 audience members in New York City, I write with concern about protection for our wireless microphones and backstage communications devices.

I understand the Commission has ruled that performing arts entities that regularly use 50 or more wireless devices will be eligible to apply for a Part 74 license. I've also learned that the FCC is seeking Comment on a proposed rule that would prevent performing arts entities using fewer than 50 wireless devices from participating in the database. This would leave the producers of the productions renting our theatres without any interference protection mechanism from the many TV Band Devices that may soon flood the market. Frequency coordination with other known wireless microphone users has become common practice, but there is no way to coordinate with TVBD's if they cannot be found.

Thousands of performances are held by professional performing arts organizations each year and the use of wireless microphones is both essential to producing high-quality performances and also mitigates against significant employee and public safety concerns. Professional wireless capability, with successful interference protection, is essential to our sector in order to assure consistent clear communication between personnel who are responsible for the safety of actors, technicians, and audience members.

Productions at our venues typically rent wireless equipment and use the following for eight performances per week:

- 1-8 wireless microphones used by performers for amplification and performance enhancement
- 2-6 wireless communication headsets used by backstage personnel for cueing technical effects and other operational communication.

The number of devices varies, depending on the number of performers and technicians required by the productions.

The devices use High UHF (Channels 38-51, the 600 Mhz band, (614 MHz to 691 MHz) which can be turned to more than one frequency.

It is imperative that management of these productions have access to geo-location database information to determine the appropriate frequencies on which to operate their devices without interference and we look to the Commission to provide the appropriate mechanism to satisfy that requirement.

I appreciate that the Commission has sought Public Comment on these very important issues. Professional performing arts organizations should all have some sort of interference protection. While some entities will be protected by access to the geo-location database, many professional performing arts organizations will not under this plan.

Performing arts organizations provide demonstrable service to the public in improving quality of life; preserving our cultural heritage; and in providing education, enlightenment, entertainment. They also contribute to local economies in every community across this country. I respectfully request that the Commission maintain access to interference protection.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Osbun', written in a cursive style.

Eric Osbun  
Operations Manager  
Westside Theatre  
407 West 43<sup>rd</sup> Street  
New York, NY 10036